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July 2, 2008

MEMO ENDORSED

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Via Facsimile 914-390-4085

The Honorable Charles L. Brieant, U.S.D.J.
 United States District Court for the Southern
 District of New York
 United States Courthouse
 300 Quarropas St., Room 275
 White Plains, NY 10601

*The 7/25/08 trial conference
 is rescheduled before Judge Brieant is
 available before Judge Brieant is
 available this date. It is
 referred to the Hon. Lisa M. Smith
 for all purposes. It is ordered*

Charles L. Brieant
 7-7-08

Re: Arben Group, LLC v. Hoover Treated Wood Products, Inc.
Docket No. 07-cv-11471-CLB

Dear Judge Brieant:

On behalf of defendant/third-party plaintiff Hoover Treated Wood Products, Inc. ("Hoover"), and pursuant to L. Civ. R. 37.2, we write to request a conference with the Court regarding a discovery issue that has arisen as to Court's April 4, 2008 Civil Case Discovery Plan and Scheduling Order.

Hoover seeks the Court's permission to extend discovery and modify the deadlines set forth in the Court's April 4, 2008 Order. Counsel for Hoover conferred with counsel for plaintiff Arben Group, LLC ("Arben"), regarding this request. Counsel for Arben indicated that Arben will not consent to such a request. Third-party defendant International Paper Company has not yet appeared in this action.

Accordingly, Hoover respectfully requests a conference with the Court to address Hoover's request to extend discovery and amend the April 4, 2008 Civil Case Discovery Plan and Scheduling Order. Please advise if the Court would prefer to forego the conference and instead require that Hoover file a formal motion with the Court.

Please do not hesitate to contact us with any questions.

Very truly yours,

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Loly G. Tor

cc: Arthur Semetis, Esq. [via facsimile - 212-557-5051]
 James Barry, Esq. [via facsimile - 901-419-3854]

NW-221581 v1

Anthony P. La Rocco, Administrative Partner, New Jersey